

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY



(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 21 MAR 2006

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Applicant's or agent's file reference	<b>FOR FURTHER ACTION</b> See Form PCT/IPEA/416	
International application No. PCT/EP2004/010942	International filing date (day/month/year) 30.09.2004	Priority date (day/month/year) 03.11.2003
International Patent Classification (IPC) or national classification and IPC C11D3/00, C11D3/40		
Applicant UNILEVER PLC		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 3 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>		
Date of submission of the demand  11.05.2005	Date of completion of this report  20.03.2006	
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer  Hillebrecht, D  Telephone No. +49 89 2399-8168  	

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.  
PCT/EP2004/010942

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## Box No. 1 Basis of the report

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1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the **elements\*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

### Description, Pages

1, 2, 4-20	as originally filed
3	filed with telefax on 20.04.2005

### Claims, Numbers

1-8	filed with telefax on 20.04.2005
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☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

\* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY**

International application No.  
PCT/EP2004/010942

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**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	1-8
	No: Claims	
Inventive step (IS)	Yes: Claims	1-8
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	

**2. Citations and explanations (Rule 70.7):**

**see separate sheet**

**Re Item V.**

1. The following documents are referred to in this report:

D1 : US 3 001 947 A (ALVIN STAHLER ET AL) 26 September 1961

D2 : US 4 671 886 A (MUELLER FRANK J) 9 June 1987

2. Claim 1 is directed to a (bleaching) composition comprising from 0.0001 wt% to 0.1 wt% of Food red 14, from 0 to 40 % other bleaching species, except from peroxy species, which may be present in amounts of less than 1 %. Moreover, a unit dose of this composition forms a washing liquor having a pH of from 8 to 11. Claim 8 is directed to a respective textile bleaching method, wherein textiles are treated with a solution of Food red 14 and the treated textiles are irradiated.
  - 2.1 D1 discloses an aqueous detergent composition comprising ammonium hydroxide and a triphenylmethane dye; erythrosine, which is Food red 14, is explicitly mentioned. The amount of dyes is from 0.05 to 0.8 wt%, and thus, outside the range presently claimed. D1 is silent on respective data concerning the concentration of the dye in the washing liquor.
  - 2.2 D2 discloses coloured liquid detergent compositions comprising dyes in an amount ranging from 0.0002 to 0.0005 wt.%. Red No. 3, which is Food red 14 is explicitly mentioned in column 3, line 60 of D2. D2 is silent on peroxy bleaches. Since there is no indication regarding the pH values of the compositions of D2, novelty has to be acknowledged for claim 1.
  - 2.3 None of the documents cited in the International Search Report teaches that Food red 14 can be used as a photobleach. The subject-matter of the present claims are therefore considered to involve an inventive step.